

<b>FEE TRANSMITTAL</b> <b>for FY 2005</b> <b>(Large Entity)</b>		<i>Complete if Known</i>	
		Application Number	10,069,975
		Filing Date	October 10, 2002
		First Named Inventor	Melanie A. PYKETT et al.
		Examiner Name	Gina C. Yu
		Group Art Unit	1617
Total Amount of Payment	(\$) <b>110.00</b>	Attorney Docket Number	2955-0194

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status
2. ☒ Payment Enclosed
- ☒ Check
- ☐ Credit Card

**FEE CALCULATION**
**1. FILING FEE**

Code	Fee \$	Fee Description	Fee Paid
1001	790	Utility filing fee	[ ]
1002	350	Design Filing Fee	[ ]
1003	550	Plant Filing Fee	[ ]
1004	790	Reissue Filing Fee	[ ]
1005	160	Provisional Filing Fee	[ ]

**SUBTOTAL \$0**

**2. CLAIMS**

	Extra Claims	Fee	Fee
Paid			
Total Claims	[ ] - 20** = [ ] x	\$18 = [ ]	
Independent Claims	[ ] - 3** = [ ] x	88 = [ ]	
Multiple Dependent Claims	+	300 = [ ]	

\*\*or number previously paid, if greater;


**SUBTOTAL \$0**

**FEE CALCULATION (continued)**
**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	[ ]
1052	50	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1804	1,840*	Requesting publication of SIR after Examiner action	[ ]
1251	110	Extension for reply within first month	[ ]
1252	430	Extension for reply within second month	[ ]
1253	980	Extension for reply within third month	[ ]
1254	1,530	Extension for reply within fourth month	[ ]
1255	2,080	Extension for reply within fifth month	[ ]
1401	340	Notice of Appeal	[ ]
1402	340	Filing a brief in support of an appeal	[ ]
1403	300	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
1452	110	Petition to revive -unavoidable	[ ]
1453	1,370	Petition to revive - unintentional	[ ]
1501	1,370	Utility issue fee (or reissue)	[ ]
1502	490	Design issue fee	[ ]
1503	660	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[ ]
1809	790	Filing a submission after final rejection (37 CFR .129(a))	[ ]
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
1801	790	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
Other fee (specify)			
1814	110	Terminal Disclaimer	[ 110 ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL \$110.00**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Patrick T. Skacel, Reg. No. 47,948		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
	October 7, 2004		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/069,975  
Applicant : Melanie A. PYKETT et al.  
Filed : October 10, 2002  
TC/A.U. : 1617  
Examiner : Gina C. Yu  
  
Docket No. : 2955-194  
Customer No. : 06449  
Confirmation No. : 9572

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The owner, The Boots Company PLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 10/030,147, filed May 20, 2002, of any patent granted on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Statement under 37 C.F.R. 3.73(b)

The Boots Company PLC is the assignee of 100 percent interest in the instant application, by virtue of an assignment recorded in the U.S. Patent and Trademark Office at Reel 013581 and Frame 0239.

The undersigned, whose title is supplied below, is empowered to act on behalf of the owner.

Declaration

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of

Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Boots Company PLC

By: *MJO*  
Signature

Typed Name: Michael John Oliver

Typed Title: Company Secretary

Date: 10/09/2004

2955-194.TD

APPROVED FOR  
SIGNATURE  
S. K. ROBERTS

*SKR*